

Message Text

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E.O. 11652: GDS

TAGS: PORG, UN, CV

SUBJECT:CAPE VERDES MEMBERSHIP APPLICATION

REF: USUN 3645

1. IN DEPT'S VIEW, CAPE VERDES STATEMENT IN MEMBERSHIP APPLICATION THAT GUINEA-BISSAU WOULD HANDLE MATTERS RELATING TO CV REPRESENTATION AT UN NOT CONSISTENT WITH ARTICLE 4(1) OF UN CHARTER, NOR WITH ARTICLE 18(1) SINCE IT IN EFFECT WOULD GIVE GUINEA-BISSAU TWO VOTES TO CAST. IF APPLICATION FROM SAN TOME AND PRINCIPE ENVISAGES SIMILAR ARRANGEMENT, THIS WOULD MEAN GUINEA-BISSAU WOULD BE CASTING THREE VOTES. IN EITHER CASE MOST UNFORTUNATE PRECEDENT WOULD BE CREATED.

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2. USUN SHOULD THEREFORE RAISE THIS QUESTION WITH UN

LEGAL ADVISER, EXPRESSING OUR GRAVE MISGIVINGS AND SEEKING HIS OPINION OF ACCEPTABILITY ANY SUCH ARRANGEMENT IN TERMS OF CHARTER PROVISIONS. USUN SHOULD ALSO SEEK SECRETARIAT AGREEMENT THAT SC CONSIDERATION OF CV APPLICATION (AND IF SIMILAR ARRANGEMENT ENVISAGED, SAN TOME AND PRINCIPE APPLICATION) BE DEFERRED PENDING RECEIPT OF LEGAL ADVISOR'S OPINION.

3. IN ANY CONSULTATIONS ON THESE APPLICATIONS AMONG OTHER SC MEMBERS, USUN SHOULD TAKE POSITION THAT CONTENTS CV APPLICATION (AND THAT OF SAN TOME AND PRINCIPE IF THIS IS CASE) IN US VIEW RAISES SERIOUS CHARTER QUESTIONS WITH RESPECT ADMISSION THESE APPLICANTS UNDER ARRANGEMENTS ENVISAGED. IT THEREFORE US VIEW THAT SC CONSIDERATION OF APPLICATIONS SHOULD BE POSTPONED UNTIL INTENTIONS OF TWO APPLICANTS CAN BE CLARIFIED, I.E. DO THEY ENVISAGE SOME FORM OF NON-VOTING STATUS WITH UN OR DO THEY EXPECT GUINEA-BISSAU TO CAST VOTES FOR THEM, AND UNTIL OPINION CAN BE OBTAINED FROM UN LEGAL ADVISER RE ACCEPTABILITY OF ARRANGEMENTS ENVISAGED IN TERMS OF UN CHARTER.

4. ABOVE REFERS TO INFORMAL CONSULTATIONS AND DEPT WOULD HOPE ANY FORMAL SC CONSIDERATION CAN BE POSTPONED UNTIL SITUATION CLARIFIED AS INDICATED IN PARA 2 ABOVE. HOWEVER, SHOULD THIS PROVE IMPOSSIBLE AND FORMAL SC MEETING HELD, MISSION SHOULD NOT OPPOSE ADOPTION OF AGENDA AND INSCRIPTION APPLICATIONS BUT SHOULD SEEK ASSURE, WITHOUT FURTHER DISCUSSION IN SC, IMMEDIATE REFERRAL TO SC MEMBERSHIP COMMITTEE FOR CAREFUL CONSIDERATION IN LIGHT AMBIGUITIES IN APPLICATION OR APPLICATIONS.

5. FYI. MISSION SHOULD BEAR IN MIND SAN TOME AND PRINCIPE, WITH ESTIMATED POPULATION OF 70 TO 80 THOUSAND, AND POSSIBLY CAPE VERDE WITH POPULATION OF 270,000 MAY ALSO RAISE MICRO-STATE PROBLEM FROM STAND-POINT OF ABILITY TO CARRY OUT CHARTER OBLIGATIONS. KISSINGER

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